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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/716,018      | 11/18/2003  | Robert P. Schoppman  |                     | 4191             |

7590 06/15/2006  
Robert P. Schoppman  
120 Jeffery Drive  
Brandon, FL 33511

EXAMINER

MAZUMDAR, SONYA

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

1734

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/716,018 | <b>Applicant(s)</b><br>SCHOPPMAN, ROBERT P. |  |
|                              | <b>Examiner</b><br>Sonya Mazumdar    | <b>Art Unit</b><br>1734                     |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11/8/05, 12/21/05, 3/10/06, 3/19/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☒ Claim(s) 10,20 and 22-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/10/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Objections***

2. Claims 19 through 25 are objected to because the lines are crowded too closely together, making reading difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b).
3. Claims 10, 20, 22, 23, and 24 are objected to because of the following informalities:

Claim 10, line 4 - "faaom" should be changed to "foam".

Claim 20 contains multiple sentences within the claim; the claim should comprise of only one sentence.

Claim 22, line 4 - the word "creating" should not be capitalized and the period after the word "line" should be replaced with a comma; thus the line should read "reference line, creating more options for installation".

Claim 23 – in line 3, “liner” should be “linear”; in line 4, the word “not” should not be capitalized and the period after the word “environment” should be replaced with a comma; thus the phrase should read “environment not limited to a predestined template”.

Claim 24 contains multiple sentences within the claim; the claim should comprise of only one sentence. Furthermore, in line 3, the word “ad” should be changed to “add”.

“Each claim begins with a capital letter and ends with a period. Periods may not be used elsewhere in the claims except for abbreviations.” See *Fressola v. Manbeck*, 36 USPQ2d 1211 (D.D.C. 1995). “Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation”, 37 CFR 1.75(i). (See MPEP § 608.01(m))

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 20, 22, 24, and 25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

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Claim 20 states using an adhesive resistant to dust or dirt that some work environments might create, where these contaminants will not pollute the surfaces that need to be adhered to by the first or second adhesive surfaces. Claim 22 states using a foam member allowing a user to select a left or right side of the foam as the reference line to create more options for installation. Claim 24 states using a foam member can be easily removed or remain on the second surface for the purpose of insulation, absorb possible vibration, or act as a gasket. Claim 25 states using a foam member that is flexible and adaptable to attach securely to various surfaces, especially uneven, beveled, or non-smooth surfaces without template or customized contour shrinkage.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 19 through 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 19 through 25 recite the limitation "the customized contour" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "the end user" in line 3 and "the reference line" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claims 21 and 22 recites the limitation "the perimeter area" in line 3. There is insufficient antecedent basis for this limitation in the claim.

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Claim 23 recites using a foam member that is “not limited to a predestined template for one purpose”; it is unclear from the specification and claim as to what is meant by this limitation.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 1-5, 7, 19, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,004,665 to Lühmann in view of U.S. Patent No. 5,622,761 to Cole.

With respect to claims 1 and 24, Lühmann discloses a double sided adhesive tape comprising (abstract; column 5, lines 31-61):

(1) A foam member (backing) having a first and second sides;

(2) A first pressure-sensitive adhesive (PSA) having a first formulation disposed on the first side of the foam backing; and

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(3) A second PSA having a formulation different from that of the first PSA, the second PSA being disposed on the second surface of the foam backing.

Although Lühmann does not specifically disclose that the first adhesive is “weak” as compared to the second adhesive which is “strong,” it would have been obvious to one of ordinary skill in the art at the time of invention to provide the first and second adhesives of Lühmann with differential adhesive strengths, i.e., one “weak” and one “strong,” motivated by the fact that Cole, also drawn to double-sided adhesive tapes comprising a first and second adhesive disposed on either side of a backing, disclose that providing adhesives having differential strength provides for varying releasability of two objects adhered together by the tape (abstract; column 3, line 65).

With respect to claims 2-5 and 7, Lühmann discloses that the foam backing is resilient and compressible and may be utilized in thicknesses of between 174 $\mu$ m to 30mm (0.00685 to 1.18 inches) (column 5, lines 1-10).

“Where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation.” (MPEP § 2144.05)

With respect to claims 19 and 23, although Lühmann does not specifically disclose a foam member that can be manufactured at any length, foam members of several different dimensions are taught (column 6, line 59; column 7, line 10). Thus it would have been obvious to one having ordinary skill in the art at the time the invention was made to manufacture a foam member of any length and would have been motivated to do so to fit accordingly to whichever surface it is to be attached to thereupon.

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10. Claims 6, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lühmann in view of Cole as applied to claim 1, and further in view of U.S. Patent No. 4,199,645 to Schwartz.

The references as combined above disclose a double sided adhesive tape comprising: A foam member (backing) having a first and second sides; a first pressure-sensitive adhesive (PSA) having a first weak adhesive formulation disposed on the first side of the foam backing; and a second PSA having a strong adhesive formulation different from that of the first PSA, the second PSA being disposed on the second surface of the foam backing. Although they do not specifically disclose the use, as per applicant claims 6 and 8-10, of a first and second release liners disposed on the exposed surface of each of the first and second adhesive layers, it would have been obvious to one of ordinary skill in the art at the time of invention to provide such release liners on the double sided adhesive tape of Lühmann motivated by the fact that the use of such release liners is typical and well-known in the art, such as those taught by Schwartz, also drawn to double sided adhesive tapes having a first and second adhesive layers with differential bonding properties (Figures 1 and 2; column 3, lines 54-64).

Although none of the prior art specifically disclose, as per applicant claim 9, the use of differentially sized release liners utilized to indicate which of the underlying adhesive layers is the stronger or weaker of the two, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the double sided adhesive tape resulting from the references as combined with such an indicative means motivated by the fact that Schwartz also teach that for the correct use of the tape, both of the



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adhesive surfaces must be appropriately identified by providing any suitable identification expedients (column 2, lines 31-35).

11. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lühmann in view of Cole and Schwartz.

The references as combined above disclose a double sided adhesive tape comprising: A foam member (backing) having a first and second sides; a first pressure-sensitive adhesive (PSA) having a first weak adhesive formulation disposed on the first side of the foam backing; and a second PSA having a strong adhesive formulation different from that of the first PSA, the second PSA being disposed on the second surface of the foam backing. Although they do not specifically disclose the use, as per applicant claims 6 and 8-10, of a first and second release liners disposed on the exposed surface of each of the first and second adhesive layers, it would have been obvious to one of ordinary skill in the art at the time of invention to provide such release liners on the double sided adhesive tape of Lühmann motivated by the fact that the use of such release liners is typical and well-known in the art, such as those taught by Schwartz, also drawn to double sided adhesive tapes having a first and second adhesive layers with differential bonding properties (Figures 1 and 2; column 3, lines 54-64).

Although none of the prior art specifically disclose, as per applicant claim 9, the use of differentially sized release liners utilized to indicate which of the underlying adhesive layers is the stronger or weaker of the two, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the double sided adhesive tape resulting from the references as combined with such an indicative means motivated by the fact that Schwartz also teach that for the correct use of the tape, both of the

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adhesive surfaces must be appropriately identified by providing any suitable identification expedients (column 2, lines 31-35).

12. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,526,947 to Pasek in view of U.S. Patent No. 4,435,381 to Brislin,

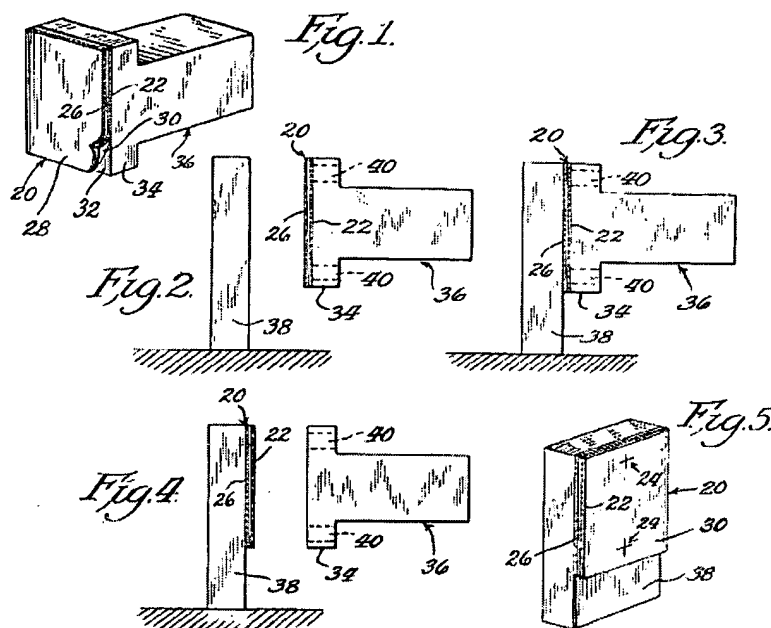
Regarding applicant claim 11, Pasek discloses a method for transferring a template 20 from a first surface 32 to a second surface 38, comprising the steps of (Figures 1-5; column 5, lines 12-75):

(1) Fashioning a template member in the shape of a mounting surface (object) 32 of a surface 34,36 wherein the template comprises a substrate 20 comprising a substrate having a weak adhesive layer 30 on a first side and a strong adhesive layer 28 on a second side thereof in the shape of a mounting surface (an object);

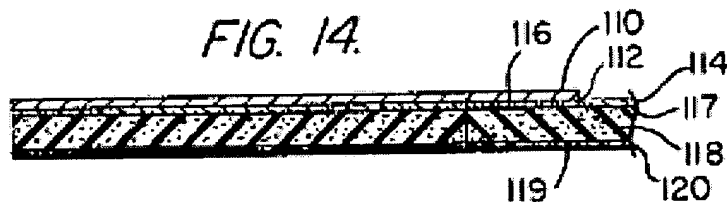
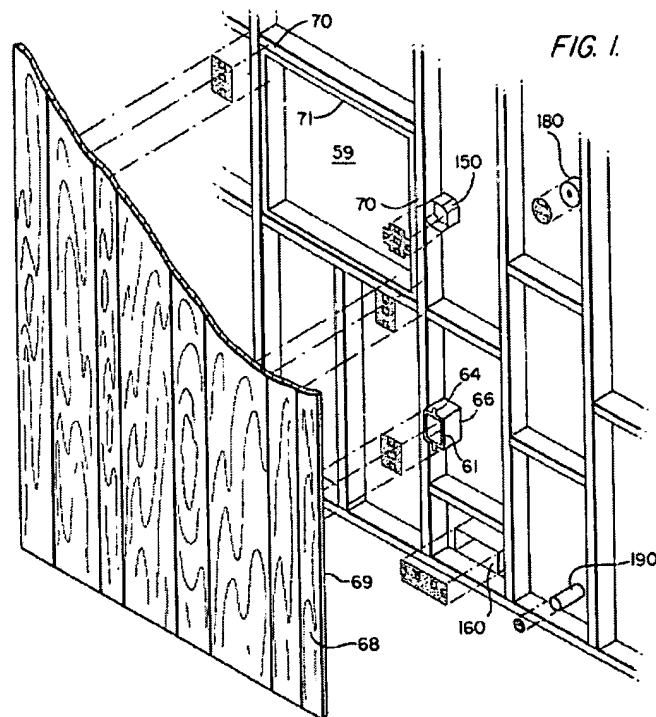
(2) Temporarily affixing the first side of the template 20 to the first surface 32 by the weak adhesive surface 30;

(3) Engaging the second surface 38 with the second strong adhesive side 28 of the template 20; and

(4) Withdrawing the second surface 38 from the first surface 32 wherein the template transfers to the second surface 38 from the first surface 32 via the strong adhesive surface 28 of the template 20. The method of Pasek is illustrated below:



Although Pasek does not specifically disclose, as per applicant claim 11, that the template comprises a foam core or backing onto which the first and second adhesive layers are disposed, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the template of Pasek with a foam core backing motivated by the fact that Brislin, also drawn to transferable adhesive templates, disclose that the provision of a template with a foam core or backing enables the template to be utilized in situations wherever strength and flexibility are required or for compensating for variations in surface contours (Figures 1 and 14; column 6, lines 11-20). The method of Brislin is illustrated below:



13. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pasek in view of Brislin and Schwartz.

Pasek in view of Brislin discloses a method for transferring a template from a first surface to a second surface. Although they disclose a template comprising a foam core or backing having a first and second differential adhesives disposed on opposite surfaces, they do not specifically disclose the use, as per applicant claim 12, of a first and second

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release liners disposed on the exposed surface of each of the first and second adhesive layers.

Nonetheless, it would have been obvious to one of ordinary skill in the art at the time of invention to provide such release liners on the double sided adhesive template resulting from the references as combined in section (3), above, motivated by the fact that the use of such release liners is typical and well-known in the art, such as those taught by Schwartz, also drawn to double sided adhesive laminates having a first and second adhesive layers with differential bonding properties (Figures 1 and 2; column 3, lines 54-64). Schwartz further discloses that the release liners protect the adhesive layers prior to use of the double sided adhesive laminate and are removed prior to attachment of the respective adhesive layer of the laminate to a target substrate (column 4, lines 39-47).

14. Claims 13, 15, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lühmann in view of Cole and Schwartz.

Lühmann discloses a double sided adhesive tape comprising (abstract; column 5, lines 31-61; column 6, lines 58-59):

(1) A defined longitudinally extended foam member (backing) having a first and second sides;

(2) A first pressure-sensitive adhesive (PSA) having a first formulation disposed on the first side of the foam backing; and

(3) A second PSA having a formulation different from that of the first PSA, the second PSA being disposed on the second surface of the foam backing.

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Although Lühmann does not specifically disclose that the first adhesive is “weak” as compared to the second adhesive which is “strong”, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the first and second adhesives of Lühmann with differential adhesive strengths, i.e., one “weak” and one “strong,” motivated by the fact that Cole, also drawn to double-sided adhesive tapes comprising a backing having a longitudinal length greater than the width, disclose that providing adhesives having differential strength provides for varying releasability of two objects adhered together by the tape (abstract; column 3, line 65; column 4, lines 46-48 and lines 61-64).

Although Lühmann in view of Cole does not specifically disclose the use of a first and second release liners disposed on the exposed surface of each of the first and second adhesive layers, it would have been obvious to one of ordinary skill in the art at the time of invention to provide such release liners on the double sided adhesive tape of Lühmann motivated by the fact that the use of such release liners is typical and well-known in the art, such as those taught by Schwartz, also drawn to double sided adhesive tapes having a first and second adhesive layers with differential bonding properties (Figures 1 and 2; column 3, lines 54-64).

Furthermore, although Lühmann in view of Cole does not specifically disclose the use of differentially sized release liners utilized to indicate which of the underlying adhesive layers is the stronger or weaker of the two, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the double sided adhesive tape resulting from the references as combined with such an indicative means motivated by the fact that Schwartz also teach that for the correct use of the tape, both of the

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adhesive surfaces must be appropriately identified by providing any suitable identification expedients (column 2, lines 31-35).

With respect to claim 17, Lühmann discloses that the foam backing is resilient and compressible and may be utilized in thicknesses of between 174 $\mu$ m to 30mm (0.00685 to 1.18 inches) (column 5, lines 1-10).

“Where the general conditions of a claim are disclosed in the prior art, it is not inventive to discover the optimum or workable ranges by routine experimentation.” (MPEP § 2144.05)

15. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lühmann in view of Cole and Schwartz as applied to claim 13 above, and further in view of Brislin.

The teachings of claim 13 are as described above.

Lühmann in view of Cole and Schwartz do not teach a flexible foam member being cut into segments to form a foam template. Brislin teaches a flexible adhesive carrier containing a plurality of perforations to be cut therein (column 3, lines 64-68).

It would have been obvious for Lühmann in view of Cole and Schwartz to teach a flexible foam member such as the one Brislin taught and would have been motivated to do so to create a customized shape accordingly to the surface it is to be attached to.

16. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lühmann in view of Cole and Schwartz.

Lühmann discloses a double sided adhesive tape comprising (abstract; column 5, lines 1-2 and lines 31-61; column 6, lines 58-59):

(1) A foam member (backing) having a first and second sides having a defined thickness and width;

(2) A first pressure-sensitive adhesive (PSA) having a first formulation disposed on the first side of the foam backing; and

(3) A second PSA having a formulation different from that of the first PSA, the second PSA being disposed on the second surface of the foam backing.

Although Lühmann does not specifically disclose that the first adhesive is “weak” as compared to the second adhesive which is “strong” on a flexible backing, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the first and second adhesives of Lühmann with differential adhesive strengths, i.e., one “weak” and one “strong,” motivated by the fact that Cole, also drawn to double-sided adhesive tapes comprising a backing having a longitudinal length greater than the width, disclose that providing adhesives having differential strength provides for varying releasability of two objects adhered together by the tape (abstract; column 3, line 65; column 4, lines 46-48 and lines 61-64).

Although Lühmann in view of Cole does not specifically disclose the use of a first and second release liners disposed on the exposed surface of each of the first and second adhesive layers, it would have been obvious to one of ordinary skill in the art at the time of invention to provide such release liners on the double sided adhesive tape of Lühmann motivated by the fact that the use of such release liners is typical and well-known in the art, such as those taught by Schwartz, also drawn to double sided adhesive tapes having a first and second adhesive layers with differential bonding properties (Figures 1 and 2; column 3, lines 54-64).

Furthermore, although Lühmann in view of Cole does not specifically disclose the use of differentially sized release liners utilized to indicate which of the underlying



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adhesive layers is the stronger or weaker of the two, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the double sided adhesive tape resulting from the references as combined with such an indicative means motivated by the fact that Schwartz also teach that for the correct use of the tape, both of the adhesive surfaces must be appropriately identified by providing any suitable identification expedients (column 2, lines 31-35).

17. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lühmann in view of Cole as applied to claim 1 above, and further in view of Condon et al. (US 5389413)

The teachings of claim 1 are as described above.

Lühmann in view of Cole do not teach an adhesive that is resistant to contaminants. Condon et al. teach coating an adhesive layer so that the coating provides durability, dirt, and vandal resistance (column 5, lines 12-14 and lines 42-43).

It would have been obvious for Lühmann in view of Cole to have an adhesive protected from contaminants of the environment such as Condon et al. taught and would have been motivated to do so prevent decreases in the tack of the adhesives caused from the environment.

18. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lühmann in view of Cole as applied to claim 1 above, and further in view of Brislin.

The teachings of claim 1 are as described above.

Lühmann in view of Cole does not teach a foam member outlining the perimeter area and allowing objects or shapes with interior obstacles not to interfere with the adhesive composition with a reference line to the perimeter of the surface. Brislin

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teaches forming a template for plug outlets where the adhesive is not to interfere with insertion of the plug (Figures 1, 3, 4, 15, and 17).

It would have been obvious for Lühmann in view of Cole to use a foam member such as Brislin taught and would have been motivated to do so to increase the variety of uses of a template.

19. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lühmann in view of Cole as applied to claim 1 above, and further in view of Junghans et al. (EP 845513A).

The teachings of claim 1 are as described above.

Lühmann in view of Cole does not specifically teach transferring a template to all types of surfaces, besides smooth surfaces. Junghans et al. teaches using an adhesive strip to stick to substrate with rough surfaces (Advantage section).

It would have been obvious for Lühmann in view of Cole to teach transferring a template to all types of surfaces such as Junghans et al. taught and would have been motivated to do so to increase the variety of uses of the template.

### ***Response to Arguments***

20. Applicant should submit an argument under the heading "Remarks" pointing out disagreements with the examiner's contentions. Applicant must also discuss the references applied against the claims, explaining how the claims avoid the references or distinguish from them.

### ***Response to Amendment***

21. The amendment filed March 19, 2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no

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amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: the foam member can be easily removed or remain on the second surface for the purpose of insulation, absorb possible vibration, or act as a gasket.

Applicant is required to cancel the new matter in the reply to this Office Action.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sonya Mazumdar whose telephone number is (571) 272-6019. The examiner can normally be reached on 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Fiorilla can be reached on (571) 272-1187. The fax phone

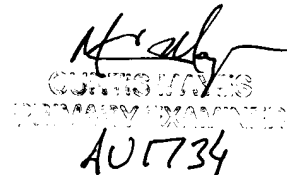
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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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